IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 28191 OF 2005

Date: 02.01.2006

BETWEEN:

Mandalapu Venkata Subbamma

…. PETITIONER

And

1. The District Collector (Panchayat Wing), Prakasam District at Ongole, and others.

…. RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No. 28191 OF 2005

ORAL ORDER:

The Petitioner is Sarpanch of Sankarapuram Gram Panchayat. By the impugned proceedings dated 30.5.2005, the second respondent in exercise of powers under second proviso to Rule 42(1) of the Rules promulgated in G.O.Ms.No.30 dated 20.1.1995 ('the Rules' for brevity) sustained the cheque drawing powers of the petitioner. Aggrieved by the same, the petitioner filed an appeal before the first respondent under Rule 42 (2) of the Rules and also submitted explanation to the second respondent. It appears, neither the second respondent nor the first respondent passed orders. Hence, the petitioner filed the present writ petition.

After hearing the learned counsel for the petitioner and learned Assistant Government Pleader for Panchayat Raj, this Court is of the considered opinion that the interest of justice would be served by directing the first respondent to dispose of the appeal filed by the petitioner against the proceedings of the second respondent dated 30.5.2005, within a period of 10 days from the date of receipt of this order. A further direction is also issued to the second respondent to pass final orders under Rule 42(1) of the Rules, without waiting for the appellate orders in the matter. This

exercise may be completed by the second respondent within a period of two weeks from the date of receipt of this order.

The Writ Petition, with the above observations, is accordingly disposed of.

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(**V.V.S. RAO, J.)**

2nd January, 2006

Note: C.C. in three days.

(By order) / Js.